IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

THURSDAY THE THIRTEENTH DAY OF DECEMBER
TWO THOUSAND AND SEVEN

PRESENT
THE HON'BLE MR JUSTICE NOOTY RAMAMOHANA RAO

WRIT PETITION No.20096 of 1998

Between:
R.Mahender Reddy

..... PETITIONER

AND
The Chairman-cum-Managing Director,
Bharat Dynamic Limited,
Kachiguda, Hyderabad and 4 others

.....RESPONDENTS

THE HON'BLE MR JUSTICE NOOTY RAMAMOHANA RAO

WRIT PETITION No.20096 of 1998

ORDER:

Heard the learned counsel on either side.

The writ petitioner has solicited a Writ of Mandamus to declare the action of the Bharat Dynamics Limited (hereinafter referred to as "BDL"), a Central Government undertaking in not providing any employment to the petitioner under the Land Displaced Persons Quota is bad and also seeks a consequential direction to BDL to appoint him immediately.

The Bharat Dynamics Limited is a Government of India, Ministry of Defence undertaking. It essentially undertakes manufacture of certain equipment for the consumption of the Ministry of Defence, and for establishing a factory it needed large extents of land near Bhanoor village, Patancheru Mandal, Medak District. Since the compulsory acquisition of land deprives the landholders the benefit of utilizing the said land for their private gain, an assurance/understanding has been held out to ensure that suitable employment opportunities are opened up and in the process, the claims and cases of those persons whose land has been acquired, will get priority consideration, against a quota not exceeding 50% of the posts that arise in BDL.

It is asserted by the petitioner that the Revenue Divisional Officer,

representing the Revenue Administration of the State Government had included his name in the list of Land Displaced Persons furnished to the BDL. But, however, the case of the petitioner could not be considered for providing any employment in the said organization so far.

Sri P.Nageswar Sree, learned standing counsel for BDL would contend that from the original list of Land Displace Persons furnished by the Revenue Administration, all their claims and cases were considered and they were all accorded necessary employment opportunities by the BDL. In so far as the supplement list which is being made available is concerned, depending upon the exigency and need of the organization, employment opportunities would be provided and that it is open to the petitioner to make an application for any post that may be notified by the respondent, provided he possess the requisite qualifications and other eligibility criteria. The learned standing counsel for BDL has also pointed out that no land belonging to the writ petitioner himself has been compulsory acquired for establishing the factory of the respondent, but land belonging to some close family relations of the petitioner is what has been acquired.

In view of the submissions put forth on behalf of the BDL, I do not propose to examine the correctness of action of the Revenue Administration in including the name of the petitioner in the list of Land Displaced Persons. Since the respondent had been furnished a list of Land Displaced Persons in which the name of the petitioner is also included, as and when it undertakes to make any recruitment, the petitioner may submit his candidature, and if he possess the requisite qualifications and other eligibility criteria, the BDL shall consider his

candidature, if the policy of providing employment to the Land Displaced Persons requires the BDL to adopt any relaxed standards or modes, by extending the same even in the case of the petitioner.

Accordingly, the Writ Petition is disposed of. No order as to costs.

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NOOTY RAMAMOHANA RAO,J

Dated:13.12.2007
Dsr